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Measures to prevent terrorists from acquiring weapons of mass destruction

Report of the Secretary-General

Addendum

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II. Replies received from Governments

Chile

[Original: Spanish]
[24 June 2015]

Chile considers that terrorism undermines the basic principles of human coexistence and condemns it in all its forms and manifestations. In this regard, Chile has reiterated, in various international forums, its commitment to preventing and combating terrorism while complying with and respecting the standards of international law, in particular human rights and international humanitarian and refugee law.

Chile is an active participant in the various international forums that promote initiatives to achieve real progress towards all aspects of non-proliferation and disarmament, and will continue to take part in multilateral efforts to improve international instruments in these areas.

Measures and activities undertaken in 2014

Chile has complied with Security Council resolutions on terrorism and the non-proliferation of nuclear weapons, in particular resolution 1540 (2004). Specifically, in recent years, Chile has adapted its national legislation to meet the standards set by resolution 1540 (2004).

Chile would like to facilitate such efforts through international cooperation. Together with Colombia, it has suggested that the United Nations should carry out a peer review exercise. It would also like to prepare a national implementation plan of action, in collaboration with the Organization of American States.

This work has been encouraged in 2015 with the addition of workshops organized under the auspices of the Center for International Trade and Security of the University of Georgia and the United States Export Control and Related Border Security programme.

Chile has also taken steps to join the Wassenaar Arrangement and the Nuclear Suppliers Group.

Chile has been an active participant in the Global Initiative to Combat Nuclear Terrorism. In August 2014, together with Argentina, the country carried out a bilateral tabletop exercise called "Paihuén", designed to address emergencies arising from events involving radioactive elements in a cross-border context.

In November 2014, a workshop and desktop exercise on radiological security was held in Chile. This inter-agency exercise was geared towards responding to illicit acts involving radioactive materials.

In February 2015, Chile joined the Group of Seven Global Partnership against the Spread of Weapons and Materials of Mass Destruction.

Cuba

[Original: Spanish]
[21 April 2015]

The existence of weapons of mass destruction, in particular nuclear weapons, constitutes a serious threat to international peace and security. The only effective way to prevent the acquisition and use of weapons of mass destruction, including by terrorists, is to ensure the immediate and complete prohibition and elimination of all such weapons from the face of the Earth.

Our country does not possess and has no intention of possessing weapons of mass destruction, nor are such weapons part of its national defence strategy. Cuba renews its firm commitment to the full and effective implementation of the international legal instruments prohibiting these weapons, instruments to which it is a State party, and reaffirms its resolve to promote a world free of such weapons.

Cuba has maintained a firm and consistent position against terrorism, which is reflected in its ratification of 18 international conventions on this matter, including the International Convention for the Suppression of Acts of Nuclear Terrorism, which is explicitly mentioned in General Assembly resolution 69/39.

The Government of Cuba has adopted a set of legislative, administrative and institutional measures designed to ensure that no terrorist acts, in any of their forms and manifestations, are committed on Cuban territory, including measures to prevent terrorists from acquiring weapons of mass destruction, their means of delivery or materials and technologies related to their manufacture. Act No. 93 against acts of terrorism, adopted in December 2001, strengthens national measures to prevent our country, which does not possess weapons of mass destruction and condemns their use, from serving as a channel for the acquisition of such weapons or their components by terrorists.

Cuba attaches great importance to the implementation of the United Nations Global Counter-Terrorism Strategy, an instrument that should guide the global struggle against this scourge.

Cuba has never allowed, nor will it allow, terrorist acts of any kind against any State to be carried out, planned or financed on Cuban territory. It reiterates its unequivocal condemnation of all terrorist acts, methods and practices, in all their forms and manifestations, by whomever, against whomsoever and wherever they are committed, whatever their motives, including State terrorism. It further condemns any action intended to encourage, support, finance or cover up any terrorist act, method or practice.

Considering the more than 16,000 nuclear weapons in existence, their continuous enhancement and their potential use, all of which threaten the survival of the human race, negotiations should urgently be started to ensure the prompt conclusion of a comprehensive convention on nuclear disarmament.

The destruction of all types of chemical weapons in the shortest time possible should remain one of the key objectives of the Organization for the Prohibition of Chemical Weapons (OPCW). That would constitute a significant contribution to international efforts to ensure that these weapons of mass destruction do not fall into the hands of terrorists.

Cuba reiterates the need to strengthen the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention) through the negotiation of a multilaterally negotiated and legally binding protocol for the verification of compliance with the Convention, with pillars including assistance and cooperation, to ensure that such weapons are never used by or against anyone.

Our country considers that efforts to counter acts of terrorism, including those involving weapons of mass destruction, should be universal and involve effective multilateral agreement through genuinely effective international cooperation to prevent and combat all acts of terrorism on the basis of strict respect for international law and the Charter of the United Nations.

It is necessary to ensure that no measure adopted by the Security Council undermines the central role of the General Assembly and existing multilateral treaties on weapons of mass destruction. The selective and discriminatory initiatives being promoted by groups of countries outside the multilateral framework in no way contribute to, but rather weaken, the role of the United Nations in all aspects of the struggle against weapons of mass destruction.

Ghana

[Original: English]
[1 June 2015]

Ghana, in the fulfilment of its national obligations under the Charter, the respective resolutions of the Security Council and multilateral treaties and in its aspiration for peaceful coexistence with other States, hereby submits a report on measures that it has taken to prevent terrorists from acquiring weapons of mass destruction.

The obligations require that, Ghana, among other things, adopt legislation to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery; establish appropriate national controls over related materials to prevent their being trafficked illegally; adopt policies to prevent activities that could support and finance terrorist groups; and punish offenders appropriately when they are caught.

Ghana is a party to the following international conventions and treaties:

(a) Treaty on the Non-Proliferation of Nuclear Weapons;

(b) Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention);

(c) Biological Weapons Convention;

(d) Comprehensive Nuclear-Test-Ban Treaty;

(e) African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba).

The Anti-Money Laundering Act, 2008 (Act No. 749), and the Anti-Terrorism Act, 2008 (Act No. 762), are national laws to enhance the enforcement of civil or criminal sanctions against offenders in accordance with the Constitution. They are in addition to the Criminal Code and other existing laws.

In its efforts at enhancing cooperation in the fulfilment of its international obligations, Ghana also collaborates with international organizations such as:

(a) The International Atomic Energy Agency (IAEA), in the signing of protocols and comprehensive safeguards agreements under the Treaty on the Non-Proliferation of Nuclear Weapons;

(b) OPCW;

(c) The Comprehensive Nuclear-Test-Ban Treaty Organization.

Ghana also works through bilateral cooperation agreements with several States at both the regional and international levels.

Efforts are being made by Ghana to seek technical support through international cooperation in the following areas: capacity-building of technical staff to acquire the requisite knowledge and skills; public awareness programmes; institutional empowerment; state-of-the-art equipment for prevention, detection, response and recovery; and technical assistance in the development of a national implementation action plan, among others.

Ghana affirms its unflinching support for the international community in its efforts to prevent terrorists from acquiring weapons of mass destruction in the wake of terrorist activities in the West African subregion through awareness-raising and sensitization among stakeholders with regard to chemical, biological, radiological or nuclear materials, and security and intelligence agencies, as well as the general public, through the holding of workshops and seminars.

Islamic Republic of Iran

[Original: English]
[23 July 2015]

The Islamic Republic of Iran is deeply concerned at the continued existence and development of weapons of mass destruction as well as the worldwide escalation of acts of terrorism. Iran strongly believes that, as long as weapons of mass destruction exist, the possibility of attempts by terrorists to acquire them also persists. Therefore, no measure, other than the total elimination of all weapons of mass destruction, is more effective in preventing terrorists from acquiring them.

As a victim of terrorist acts and chemical weapons, Iran supports the general objective of General Assembly resolution 69/39 in preventing terrorists from acquiring weapons of mass destruction and strongly believes that the only absolute guarantee against the threat or use of weapons of mass destruction, either by States or terrorists, is the total elimination of such weapons. To that end, the full, effective and non-discriminatory implementation, by all States parties at all times, of all provisions of major multilateral treaties banning weapons of mass destruction, as well as ensuring the universality of the treaties at the earliest possible time, is essential.

In this regard, Iran stresses the need for the destruction of all remaining chemical weapons in the shortest possible time, in accordance with the Chemical Weapons Convention. At the same time, while the Biological Weapons Convention and the Chemical Weapons Convention prohibit the development, production and stockpiling of such weapons and provide for their destruction, Iran strongly supports

the judgement of the large majority of the Member States, as reflected in General Assembly resolution 68/32, that there is a need "for the urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction".

In this context, Iran believes that non-proliferation and disarmament can be considered mutually reinforcing only if the efforts directed towards non-proliferation are followed by simultaneous efforts aimed at disarmament. Iran also is of the view that non-proliferation efforts should not divert attention from nuclear disarmament, which is the highest priority of the international community.

Taking into account the unspeakable death and destruction caused by terrorist acts — the living examples of which are the ongoing activities of the foreign terrorist fighters in Syria and Iraq — Iran is also of the view that the most effective assurance against the threat of terrorists, regardless of the type of means and weapons that they use, is by addressing, globally and systematically, all underlying causes of terrorism. In this context, all States parties to treaties on terrorism are required to fully comply with their respective obligations under such treaties and effectively prevent and combat all terrorist acts and seriously refrain from providing any kind of support to terrorists.

As a party to all international instruments banning weapons of mass destruction, namely the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention, the Biological Weapons Convention and the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and also based on its principled position, Iran considers acquiring, developing and using weapons of mass destruction to be inhumane, immoral, illegal and against its very basic principles. Likewise, Iran has developed and maintained national controls to account for and secure any nuclear, biological and chemical material used for exclusively peaceful purposes, and therefore, to prevent any unauthorized access to them or their diversion to illegal activities.

It is the strong conviction of Iran that only through adopting such a multi-pronged approach would the international community of States be able to effectively prevent both the emergence of terrorist groups and their possible attempt to acquire weapons of mass destruction.

Qatar

[Original: Arabic]
[1 June 2015]

Measures taken by the State of Qatar to prevent terrorists from acquiring weapons of mass destruction are as follows:

- Qatar is a party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Biological Weapons Convention, the Chemical Weapons Convention, the Convention on the Physical Protection of Nuclear Material and its Amendment, the Convention for the Suppression of Acts of Nuclear Terrorism, the International Convention for the Suppression of Terrorist Bombings and

the Convention on the Marking of Plastic Explosives for the Purpose of Detection. It has also concluded a safeguards agreement with IAEA.

- Qatar has concluded numerous bilateral agreements and memorandums of understanding on security cooperation with other States, including counter-terrorism and weapons of mass destruction.
- The National Arms Control Committee was established in 2004.
- Qatar has adopted Act No. 3 (2004) on counter-terrorism.
- The National Counter-Terrorism Committee was established in 2007.
- Qatar has adopted Act No. 16 (2013) on chemical weapons.
- A regional workshop on suppressing nuclear terrorism was organized in 2008, in cooperation with the United Nations Office on Drugs and Crime.
- A workshop on nuclear radiation was organized in 2008, in cooperation with the North Atlantic Treaty Organization (NATO).
- In 2009, Qatar hosted a workshop on Security Council resolution 1540 (2004), organized by the Office for Disarmament Affairs.
- In December 2013, the Conference on Combating the Financing of Proliferation of Weapons of Mass Destruction was organized, in cooperation with the United States of America.
- Qatar hosted the eleventh Annual NATO Conference on Weapons of Mass Destruction in March 2015.
- Qatar has adopted Act No. 4 (2010) on combating money-laundering and the financing of terrorism.
- The National Committee on Combating Money-laundering and the Financing of Terrorism was established in 2002 and re-established in 2010.

Numerous events have been organized in cooperation with OPCW, including the fifth regional meeting of national authorities of Asian States parties to the Chemical Weapons Convention, which was held from 4 to 6 September 2007. From October 2008 to 25 February 2015, Qatar hosted and financed the following events in cooperation with OPCW:

(a) A training course on meeting the declaration requirements under article VI of the Chemical Weapons Convention has been organized on six occasions for representatives of the national authorities of Asian States parties to the Convention;

(b) A subregional training course on the technical aspects of transport systems has been organized on seven occasions for the customs authorities of Gulf Cooperation Council countries;

(c) A training course on the Chemical Weapons Convention and chemical safety management for States parties to the Convention from Gulf Cooperation Council countries was held from 20 to 22 November 2011;

(d) A seminar on the Chemical Weapons Convention and chemical safety and security management has been organized on three occasions for the Asian States members of OPCW;

(e) A regional meeting of representatives of chemical industries and the national authorities of Asian States parties to the Chemical Weapons Convention was held from 9 to 11 November 2014.

The National Arms Control Committee has organized annual workshops to educate all groups, including secondary school pupils, on weapons of mass destruction.

The Doha Regional Centre for Training on Conventions on Weapons of Mass Destruction was established in December 2012, in cooperation with OPCW. It is hoped that its training services will be extended to include all existing conventions on weapons of mass destruction.

Spain

[Original: Spanish]
[12 June 2015]

One of the goals established in the National Security Strategy is "to prevent proliferation and acquisition by terrorists of hazardous substances and to protect the population". One of the action lines to achieve this goal consists of the "full implementation of United Nations Security Council resolutions, in particular resolution 1540 (2004), which was sponsored by Spain".

Resolution 1540 (2004) establishes several obligations for States, such as refraining from supporting terrorists that attempt to carry out acts related to the proliferation or use of weapons of mass destruction, their means of delivery or related materials; adopting and enforcing laws that criminalize such acts and establishing controls to prevent the proliferation of weapons of mass destruction.

In response to the planning needs set out in the National Security Strategy, and in compliance with the legal obligations established by the Security Council resolution, the national action plan for the implementation of Security Council resolution 1540 (2004) was established.

The action plan was prepared by the Ministry of Foreign Affairs and Cooperation, in coordination with all pertinent public agencies, whose observations were all incorporated.

The action plan defines the objectives, action lines and structures required to meet the security goals and aforementioned international legal obligations. Seven priorities were identified to that end:

(a) Full development and updating of the regulatory framework;

(b) Protection of critical installations;

(c) Control of transfers of sensitive and dual-use materials and strategic goods, including intangible transfers;

(d) Protection of sea, land and air transport and borders control;

(e) Mechanisms for intervention and response in the event of an incident;

(f) International cooperation and capacity-building;

(g) Strategic outreach measures.

Concerning the organizational structure, the National Security Council is responsible for supervising the implementation of the action plan, in line with the functions assigned to it by Royal Decree No. 385/2013, of 31 May 2013, amending Royal Decree No. 1886/2011, of 30 December 2011, establishing the delegated committees of the Government. In this regard, as several public agencies have indicated, a special chemical, bacteriological, radiological and nuclear commission should be created to support the Council and to strengthen cooperation among public agencies.

IV. Reply received from the European Union

[Original: English]
[11 September 2015]

The European Union Common Foreign and Security Policy, as well as the European Security Strategy (2003) and the European Union Strategy against the Proliferation of Weapons of Mass Destruction (2003), the European Union Counter-Terrorism Strategy (2005) and the New Lines for Action in Combating the Proliferation of Weapons of Mass Destruction and Their Delivery Systems (2008 and 2013), all together reinforce the commitment of the European Union to preventing the access of terrorists to nuclear, chemical, biological and ballistic missiles materials, technical know-how and technology. In line with Security Council resolution 1540 (2004) and its strategy on weapons of mass destruction, the European Union requires the insertion of non-proliferation clauses in all its agreements with third countries.

The accession of the European Atomic Energy Agency (Euratom) to the amended Convention on the Physical Protection of Nuclear Material was approved by the European Council in 2007. All the States members of the European Union and Euratom have ratified the Convention and have adhered to the Amendment to the Convention.

Consistent with the long-standing and significant support provided by the European Union to global nuclear security efforts, the European Union also fully supports the key role of IAEA. The European Union participated actively in the IAEA International Conference on Nuclear Security on enhancing global efforts, held in Vienna in July 2013, and is looking forward to the next IAEA International Conference on Nuclear Security, in December 2016.

Similarly, the European Union contributed and will continue to contribute actively to the Global Initiative to Combat Nuclear Terrorism and other initiatives, such as the Security Council Committee established pursuant to resolution 1540 (2004), the Global Partnership against the Spread of Weapons and Materials of Mass Destruction and the Nuclear Security Summit process, all contributing to improving the security of nuclear material and a strengthened nuclear security culture, a challenge that requires global attention. The European Union attaches the utmost importance to and is actively working in the areas of nuclear detection and response mechanisms, including nuclear forensics. The European Union also cooperates with the International Criminal Police Organization in the implementation of that organization's projects in this field.

The European Union and its member States continue to fund numerous projects in support of the Biological Weapons Convention. The European Union is currently working on a new European Council decision to this effect.

As to chemical weapons, the European Union accounts for 40 per cent of the OPCW budget spent on disarmament and non-proliferation projects worldwide. The European Union also strongly engaged in the third Review Conference on the Chemical Weapons Convention, with the aim of reinforcing the regime even further, and promoting its universalization and full national implementation.

The European Union is deeply involved in the non-proliferation of ballistic missiles, especially through European Council decisions in support of the International Code of Conduct against Ballistic Missile Proliferation and Security Council resolution 1540 (2004), as well as through its Instrument contributing to Stability and Peace (Centres of Excellence).

The European Union has been continuously implementing its 2009 Action Plan on chemical, biological, radiological and nuclear security. It is based on the all-hazards approach and contains 124 actions covering prevention, protection, detection and response. The Action Plan contributes, among other things, to the implementation of the European Union Counter-Terrorism Strategy and the Internal Security Strategy. The European Commission has undertaken to facilitate practical cooperation for the detection and mitigation of chemical, biological, radiological and nuclear and explosives risks at the European Union level, including working with the industry, operators of facilities handling such materials (equipment manufacturers and security services providers) and other stakeholders. Specific tools will be developed, ranging from guidance materials, training and awareness-building, and testing activities. Outside its border, the European Union is implementing the Centres of Excellence initiative on chemical, biological, radiological and nuclear risks in eight regions in the world involving more than 60 countries. The initiative is aimed at building capacity at the regional level to mitigate the risk associated with chemical, biological, radiological and nuclear materials. Within the framework of the initiative, the partner countries develop their need assessments as well as their national action plans on chemical, biological, radiological and nuclear risks. In addition, to date the European Union has funded about 50 chemical, biological, radiological and nuclear regional projects that support the sustainability of the Centres of Excellence initiative.

The European Police Office has conducted several activities that are aimed at assisting States members of the European Union in developing capacity to prevent and respond to chemical, biological, radiological and nuclear incidents. Under the seventh framework security research programme (2007-2013) of the European Commission, a part of the funding is allocated to research and development projects in the area of chemical, biological, radiological and nuclear security.

The Border Monitoring Working Group, created in 2006 between the United States, the European Union and IAEA, has been working on the implementation of joint projects in which united efforts are undertaken in the specific area of nuclear detection, aiming at effectively combating illicit nuclear trafficking, terrorism and proliferation. International cooperation in nuclear forensics is of the utmost importance and the European Commission has been co-chairing the Nuclear Forensics International Technical Working Group since its foundation in 1995.